

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

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SHAHEED TAALIB'DIN MADYUN,

ORDER

Plaintiff,

08-cv-34-bbc

v.

WILLIAM POLLARD,
PETER ERICKSON and
STEVEN SCHMIDT,

Defendants.

- - - - -

Plaintiff's motion for permission to use his release account to pay the \$455 fee for filing his appeal in this case is DENIED. Plaintiff is obligated to pay the fee for filing his appeal in full because his three-strikes status renders him ineligible to use the in forma pauperis statute to proceed with less than the full amount. Nothing in 28 U.S.C. § 1915(g) reveals an intent by Congress to dictate from where prisoners subject to its bar may obtain the money to pay filing fees. In the absence of a statute compelling payment from the prisoner's prison account, there is no basis for the state to view § 1915(g) as overriding the

state law restricting the use of release account funds.

Entered this 24th day of July, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge